

Snow today, probably turning into rain. Clearing and colder tomorrow.

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## TIMES CRUSADE FOR VESTIBULES NEAR SUCCESS

The Washington Railway and Electric Company Presents the Only Obstacle to an Early Consummation of Plan.

### THE GALLINGER BILL AWAITS COMMISSIONERS' APPROVAL

Miss Pulizzi's Petition of Last Sunday Followed by Two More Signed by Friends of Freezing Motormen.

The first week of the campaign for humane treatment of the motormen of the District of Columbia has come to an end.

Since last Sunday the situation has cleared and progress—much progress—toward the end advocated by The Times and approved by hundreds of citizens has been made.

Senator Gallinger, chairman of the Committee on the District of Columbia, has introduced a bill providing that all cars in the District must be equipped with vestibules by the first of October of this year.

George T. Dunlop, president of the Capital Traction Company, speaking with authority for that corporation, has informed Senator Gallinger that all the cars on that system will be equipped with vestibules before another winter sets in.

George H. Harries, vice president of the Washington Railway and Electric Company, says that every car operated by his company will be equipped with vestibules, but that this will not be an accomplished fact before the expiration of two or three years.

The Gallinger bill meets with the approval of the three Commissioners, the only question with them being whether the time allowed for the change is sufficient.

Thus the matter stands this morning.

### IN TWO OR THREE WINTERS.

"In two years, three at the outside, every car operated by the Washington Railway and Electric Company will be equipped with vestibules."

This was the statement of George T. Dunlop, president of the Capital Traction Company, yesterday afternoon when asked what would be the attitude of his company in regard to vestibuled cars.

The position of the Washington Railway and Electric Company has not been officially stated up to this time, beyond the fact that it had been their policy for the last two or three years to buy vestibuled cars when purchasing new rolling stock.

General Harries' words were in answer to the question by a Times reporter if it was the intention of his company to vestibule the fronts of cars on lines which are not already equipped with closed cars.

Will Do No Patching. "No," said that official. "We do not intend to do any thing of the kind. We shall not do any patching at all. Four or five years ago, before the present agitation for vestibuled cars was thought of, we began to operate closed cars on our suburban lines, and as soon as we decided upon a standard car we have gradually been purchasing vestibuled cars. We now operate cars of this character on all of our suburban lines. You will find them on the Maryland line, on the Brookline line, the Rockville line, and all our other suburban lines. Then we put our big new standard car on the Mt. Pleasant line, and now we have them on the Columbia, or H street, line.

"The Eleventh street cars will be the next ones which we will replace with vestibuled equipment. Then we will extend them to the East Capitol and Ninth street lines, and all our other systems will be reached in order."

Poor Business Policy. "It will be poor business policy for this company to patch up old cars and put inadequate protection on the fronts when it is our intention to gradually get rid of all our present equipment and put on new cars."

"Therefore I say our lines will not be equipped with vestibuled cars by next winter, but perhaps by the following winter, and certainly by the winter of 1907 every one of our lines will be fitted out with the same kind of cars which are now operated between the Capitol and Mt. Pleasant."

The Pullizzi Petition. One week ago today The Times printed the petition, with its long list of signatures, circulated by Miss Blanche L. Pulizzi, of 224 F street northwest, whose sympathies were stirred by the editorial in The Times of January 26.

Today The Times publishes two more petitions, one circulated by Miss Pulizzi's brother, T. O. Pulizzi, and the other by William Barlow, of 500 Seventh street southwest, of which the Humane Society, of which Barlow is president, has been five years' service on the front platform.

Yesterday both leading street railway companies of the city received a request from the District Commissioners through Engineer Commissioner John Eldridge, for expressions of their opinion on the Gallinger bill. The views of the companies will be carefully considered by the Commissioners before making a report to Congress on the proposed measure.

Waiting for Reply. The Commissioners expect to receive a reply from the railway companies tomorrow to their request for an expression of opinion. The District officials do not hesitate to express their own

## SHOCKS SENATORS WITH OBJECTION IN SWAYNE CASE

House Manager Palmer Has Body Feazed for Several Minutes.

### THE JOHNSON PRECEDENT

Hereafter Questions May Be Asked, But Witnesses Need Not Answer.

The United States Senate learned today for the first time that there were certain limitations upon its rights to demand an answer from a witness appearing before it while it was sitting as a court of impeachment. The question came up during the Swayne trial, clearly cut, through an abrupt objection made by the House managers to an inquiry propounded by Senator Hopkins to A. H. Aldrich, a tax collector of Pennsylvania, Fla.

The House managers were attempting to establish an article of impeachment which charged that Judge Swayne, the respondent, was not a resident of the Northern district of Florida, to which he was assigned.

Stood Aghast. The witness had testified that Swayne's name was not on the poll books. In response to inquiries by Senator Bacon and Senator Culberson, presented in writing as required under the procedure, he declared that Swayne had not voted, and that the laws of Florida required a poll tax from all males over twenty-one and under fifty-five, without regard to suffrage rights.

Then it was that Senator Hopkins inquired whether a man there could not be a resident without being a taxpayer. Representative Palmer, chairman of the House managers, objected.

Senators stood aghast. It was plainly apparent that they considered their judicial prerogatives had been improperly interfered with. Protest could be heard.

"This is a question of law," declared Mr. Palmer. "The witness is not a lawyer, so I guess I'll object." With a smile he resumed his seat.

Warm Debate. A warm debate followed. Senator Lodge challenged the right of a manager to limit the rights of the Senators. "This is a court," he contended. "We are sitting as judges." He declared that he only wished to know what limitations, if any, were imposed upon Senators during the trial.

The presiding officer, Senator Platt of Connecticut, announced that he would have to sustain objection if insisted upon, but he suggested that owing to the wide latitude of examination many questions purely legal had been admitted without objection.

Mr. Palmer withdrew the objection, the witness answered "yes" to Mr. Hopkins' inquiry, and then Mr. Palmer and Senator Foraker read extracts from the rulings of the Chief Justice in the Johnson impeachment case.

It was that neither House managers nor respondent's counsel could object to a question offered by any Senator. The objection could be made to the witness replying.

The presiding officer so ruled. Crowds Present. Crowded galleries as usual marked the entire session of the court, lasting from 2 o'clock until 4:30. The spectators had been driven from the galleries, and into the lower corridors by the Senate going into secret session, shortly after the noon opening, for the consideration of arbitration treaties.

Over a thousand people, a majority being women, Senators' wives and friends being among the number, waited until the doors were reopened a few moments before 2 o'clock, the hour previously agreed upon for the impeachment court to sit. Within a few minutes every seat in the public and private galleries was occupied, and standing room was at a premium.

The session was the most interesting one yet held, from the spectators' standpoint, for Swayne's counsel and House managers had spirited verbal encounters.

Affraid to Appear. Judge Swayne occupied a seat with his counsel, and prompted them in the cross-examination. J. E. Wolfe, a lawyer and United States district attorney of Judge Swayne's court, and H. E. Graham, hotel clerk, both of Pennsylvania, introduced testimony to show that the respondent did not reside in his district. Mr. Graham brought into the chamber the register and day books of his hotel.

Mrs. Annie Russell, a boarding house keeper of Tyler, Tex., presented her deposition. She was in the city, but through her timidity "to appear before such an august tribunal," her appearance was excused. She testified to Judge Swayne having been accommodated for \$12.5 a day during his holding of court there. The charge against the judge is that he collected \$10 a day for that period.

IDAHO LEGISLATURE FIGHTS THE MORMONS

BOISE, Idaho, Feb. 11.—The house has passed the senate bills providing for fines and imprisonment as punishment for polygamy and adulteration. Much sentiment has developed in favor of a law against illegal cohabitation, since it is asserted an anti-polygamy law cannot be enforced because of the difficulty of proving marriage.

## AT LIAO-YANG WITH KUROPATKIN



CAPT. CARL REICHMAN.  
American Military Attaché With Russian Army—Muzzled Regarding Conflict by Order of War Department.

## ADMITS PERJURY IN LAND FRAUDS

Senator Mitchell's Law Partner Confesses.

### GET ANOTHER CONGRESSMAN

John Williamson Indicted With Partner and Land Commissioner Biggs for Fraud.

PORTLAND, Ore., Feb. 11.—Admission was made today by Judge Tanner, the law partner of United States Senator Mitchell, that he committed perjury in the course of his testimony given before the Federal grand jury in connection with the land frauds on account of which Mitchell was indicted.

Judge Tanner appeared in court this afternoon, and was questioned by direction of Judge Bellinger, presiding. He stated that he and Senator Mitchell had entered into a business agreement whereby the profits derived from cases conducted in the Federal courts were to go to the Senator, while he, Tanner, should be entitled to the retainers and fees for proceedings before any Government department.

Representative John Williamson and his partner, Van Gesner, both engaged in the sheep business, as well as Land Commissioner A. R. Biggs, of Prineville, this State, were indicted by the Federal grand jury today, the charge being an attempt to defraud the Government of public lands.

Mr. Williamson is serving his first term in Congress. Prior to his election as Congressman he occupied several elective and appointive offices in his native State. He is a Republican.

The indictments are believed to be the outcome of the proceedings which recently resulted in the indictment of United States Senator Mitchell on a similar charge.

## FATAL TROLLEY CRASH ON CHEVY CHASE SYSTEM

Gilbert Scott, Colored Boy, and His Horse Are Killed Near Cleveland Park—Did Not See Car.

A negro boy named Gilbert Scott and a horse were killed, Edward Scott was seriously injured, and a buggy and wagon were reduced to kindling wood when the wagon was struck by a Chevy Chase trolley car 100 yards west of Cleveland Park shortly after 8 o'clock last night.

The buggy belonged to Reed Smith, another negro, living at 2105 Union street southwest, who barely escaped injury by the car.

Having a buggy in Chevy Chase and wishing to bring it to the city, Smith engaged Scott to haul the vehicle in yesterday evening. After finishing his ash route Scott, who used the youth as a helper, went to Chevy Chase and the shafts of the buggy were tied to the rear of the wagon. Fagged out by his day's work, the young negro curled up in a crook in the body of the wagon and soon fell asleep. Meanwhile the horse, which was virtually shoved down the steep hills by the weight of the two vehicles behind him, and had great difficulty in pulling up the other hills, was making his way slowly.

At the foot of the Chevy Chase hill the horse became startled and Car No. 7 came down the hill with a rush, crushing the vehicle, despite Motorman Burton Martin's efforts to stop it.

The men were thrown out and the boy was picked up dead. The injured man was taken to the Emergency Hospital.

## SAW WARFARE; MUST NOT TALK

Captain Reichmann Muzzled by War Department.

### WAS AT LIAO-YANG BATTLE

Military Attaché With Russian Army. His Mouth Sealed by Etiquette.

Not many men in these "piping times of peace" are given a chance to witness bloody battles and then not be able to talk about them. That is the position in which military regulations have put our attachés who went to the front with the Russian and Japanese forces and are now returning to Washington.

The most recent of these "war observers" to return is Capt. Carl Reichmann, Seventeenth Infantry, who spent six months in the field in the hottest part of the fighting around Liao-Yang and on the Shah river.

Was With Kuropatkin. Captain Reichmann was our military attaché at St. Petersburg. When the campaign began in Manchuria he was ordered to the front, and after reporting to Kuropatkin was detailed to the Fifth Siberian Corps, of which General Stakelberg, one of the prize Russian generals, whose abilities have been conspicuously displayed in the war, was the commander.

Captain Reichmann was at the thick of the ten days' and in the net down by Captain Reichmann, how- ever, will be given the most careful note, and will probably result in formulating many new rules to govern the United States army in its development.

Compliments for Russians. Speaking of the battle of Liao-Yang, which lasted for five days, and which was one of the bloodiest in history, Captain Reichmann said:

"It was certainly a remarkable spectacle. The din of cannonading was tremendous. Through the courtesy of the Russian officers I had the very best of opportunities to study the movements of troops with the closest attention."

Captain Reichmann met Kuropatkin a number of times, and was greatly impressed with the Russian leader. The American military attaché joined the Russian forces in Manchuria on May 8, and was with them until December 1, Sunday.

Workingmen's Districts Quiet in St. Petersburg

ST. PETERSBURG, Feb. 12.—Until a late hour Saturday night St. Petersburg was quiet, and barring the usual excitement at the various strike headquarters and the vodka saloons in the workingmen's districts, where the laborers congregated, nothing indicated a reason for the elaborate preparations made by the government to crush, upon a moment's notice, any attempt to start demonstrations of a menacing character during Sunday.

Conservative opinion doubts that any such movement will be inaugurated.

## REBEL SENATORS AMEND TREATIES; DEFY PRESIDENT

Ratify Ten Arbitration Conventions With Foreign Nations After Substitution of the Word "Treaty" for "Agreement."

### WILL OF EXECUTIVE IGNORED BY THE VOTE OF 50 TO 9

Upper House Refuses to Surrender Any of Its Prerogatives---Lodge Joins in Revolt. Mr. Morgan Resentful.

### ALIGNMENT OF SENATORS

Those voting in opposition to the substitution of the word "treaty," and in line with the wishes of the President, were:

Dolliver, Fairbanks, Hopkins, McCumber, Nelson, Platt, Connecticut; Stewart, Warren, and Wetmore, Rhode Island—9.

Those voting for the amendment, and in opposition to the President's wishes, were:

Messrs. Alger, Allison, Ankeny, Bacon, Bailey, Bard, Bate, Berry, Beveridge, Blackburn, Burham, Burrows, Carmack, Clark of Montana, Clay, Culberson, Cullom, Daniel, Dick, Dillingham, Dryden, Foraker, Foster of Louisiana, Foster of Washington, Fulton, Gallinger, Gamble, Gorman, Hale, Hansbrough, Heyburn, Kean, Kittredge, Latimer, Lodge, Long, McComas, McCreary, McLaurin, Money, Morgan, Newlands, Overman, Patterson, Scott, Smoot, Spooner, Stone, Tallaferro, and Teller—50.

As a culmination of almost four hours' deliberation, frequently marked by caustic criticism of the course of the President of the United States, the Senate early last evening ratified, with amendment, ten international arbitration treaties.

This was accomplished only after an amendment was adopted changing the word "agreement" as used in Article 11 of the conventions to the word "treaty." The vote on this amendment was 50 to 9.

The action of the Senate is of startling significance. The issue was made after a thorough discussion of the letter of the President declaring that an amendment of the treaties would be a step backward, that such action would be a nullification of the proposed treaties; that in the amended form they would contain nothing except an expression of "good intention, and that as such they should not receive the sanction of the Government."

### PREROGATIVES SAFEGUARDED.

Senator President Platt of Connecticut and Vice President Fairbanks led the administration forces. As a final vote was furled, and in the hope of giving over time to strengthen the forces of those who had sought all day to secure a ratification without amendment, Mr. Platt moved an adjournment.

The Senate was thin, and every indication pointed to there being no quorum. His motion was lost. He demanded a roll call. Adjournment was refused by a vote of 45 to 13.

Vote on the amendments then followed. As read to the Senators by Mr. Cullom, and specifically alluded to by the Administration's warmest advocates, the President said:

"If the word 'treaty' be substituted, the result is that every such agreement must be submitted to the Senate; and these general arbitration treaties would then cease to be such, and, indeed, in their amended form they amount to a specific pronouncement against the whole principle of a general arbitration treaty."

### Adverse Comment.

In the two executive sessions at which the President's letter was discussed to day there was a general expression of opinion adverse to the attitude assumed by the President and Secretary of State Hay. At the first session, lasting from noon until 2 o'clock, the speeches were long. Mr. Cullom, Mr. Morgan, Mr. Spooner, Mr. Lodge, Mr. Foraker, contending that the rights of the Senate as a treaty-making body should be carefully safeguarded.

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### Platt's Change of Heart.

Mr. Platt (Conn.), who last evening defended the President, although insisting the Executive could not make contracts without the advice and consent of the Senate, declared that after more mature deliberation he doubted whether the Senate could interfere with the treaty-making powers of the President.

Mr. Cullom inquired as to where the new light came from. Mr. Lodge replied that his long and intimate friendship with the President, and, in expressing the pain it gave him to oppose the Executive in this matter, he declared his conscience would not permit him to abandon the prerogative of the Senate.

Mr. Morgan sharply criticized the President for what he characterized as interference. He contended that the President's duty ends when he transmits a treaty to the Senate. The practice of trying to whip the Senate into line with Administration ideas, he said, was steadily growing. He declared that such action should be resented.

Mr. Lodge warmly defended the President against these imputations, maintaining that the President had a perfect right to communicate his views to the Senate.

Mr. Spooner took the lead in declaring that compacts with foreign governments should be submitted to the Senate. He stated that the settlement of the Pious fund had been satisfactory, but that it was not good practice. He was careful to state that while he believed the present incumbent of the White House would probably never inchoad upon the treaty-making power of the Government, the establishment of such a precedent as was proposed by the President might pave the way for a future menace to the peace of this nation.

He thought that the President and Secretary Hay should not insist upon a ratification of these treaties without amendment. Ten Arbitration Treaties. The treaties which were ratified provide for a general system of arbitration. They are identical in character, have long been made public, and are similar in form to treaties between European powers relating to arbitration. Among these treaties are those with England, France, Germany, Switzerland and Norway and Sweden. The object of the President's action is to subject the rights of arbitration to questions of arbitration of points in dispute between the United States and those governments.

The trouble arose over article 2 of the instrument, which provided: "In each individual case, the high contracting parties, before appealing to the permanent court of arbitration, shall conclude a special agreement defining clearly the matter in dispute."

### President Insistent.

From the first the President insisted upon the treaties being ratified or rejected in this shape. The Republican majority of the Senate Committee on Foreign Relations was at first inclined to adopt this view. The Democratic members, however, insisted upon an amendment, which would prevent the submission to arbitration of questions involved in certain repudiated bonds of the confederacy.

### Action in Committee.

While this matter was being discussed more or less informally the Senate was astounded to unofficially learn that this Government had entered into an agreement whereby it was in effect to exercise its rights of the President and the Senate relative to treaty making. There-